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A COMPLAINT TO THE HOVSE OF COMMONS.

AND

Resolution taken up by the free Protestant Subjects of the Cities of *London* and *Westminster*, *and the Counties adjacent.*

OXFORD

Printed by LEONARD LICHFIELD *Printer to the Vniversity.*

1642.

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BIBLIOTHECA BODLEIANA

A Complaint to the House of COMMONS,

and resolution taken up by the free Protestant Subjects of the Cities of London *and* Westminster, *and the Counties adjacent.*

LOosers may speak by authority of a Proverb, and then we are sure we ought not to be silenced; we have seen and perused many Remonstrances, Declarations, Votes and Ordinances, and our vote upon them all is, That it had been happy for us, more advantagious to our Religion, and more honourable to our Nation, if they had been strangled in the birth, and never walked abroad in the light, and that it will never be well with us, or the Kingdome, till they be buried in oblivion: for we find so much bitternesse and asperity in some, so many jealousies and feares raised in others, so little truth in many, and so much danger in them all, that we may justly feare some Conjurers have been abroad to raise evill spirits, and that wee shall never be at quiet, till they be under ground. We have lived to see many changes in Church and State, as make our hearts ake, because for the most part they are still for the worst, and when we could not beleeve a degree beyond our miseries, and thereupon built hopes of amendment, our sense of suffering taught us new degrees of comparison; we will instance in a few, and by them guesse at the rest, (for we like not generalls, no more then letters testimoniall of credit without a name to own them.) It is granted of all hands we are free Subjects, borne to the Lawes of the Kingdom as our birth-right, which we may challenge of right, and that we maintain the Protestant Religion against *Popery*, and all other Sects and Heresie, and that the Liturgy of the Church is established by Act of Parliament. We beseech you now consider how we were used in all these; Our estates were taken away under the gentle termes of Benevolences and Loanes, where the choice was, either to part with our Estates and Lands, or lye in Prison: When we found this pressure, we ran to the Law for

protection, and found by wofull experience that innocence was a worse crime then felony; for he that was committed for Felony was admitted to baile, whileſt he that was committed for no cauſe was upon his *Habeas Corpus* remanded and continued in Priſon: Thus it fared with us in our Liberty, and not much better in our Property, for what with charge of Armes and Muſters (where the Lord Lieutenants, or Deputy Lieutenants ſpleen or will made a Law) and billetting Souldiers and the like, what we enjoyed was at the will of others, rather then our own; and beleeve it, our lives were in no ſmall hazard, when Martiall Law was ſo freely talked of: Theſe were no ſmall loſſes to make men ſpeak; but we ſilently ſuffered, and not long after came our Petition of Right, which re-inveſted us in our legall inheritance again, and as we thought had ſetled us in that happineſſe which was immovable; but experience ſoon taught us the contrary; for a way was found out to create offences by Proclamation, and a Court that could make any thing an offence at their pleaſure, and puniſh it how they liſt, where great Lords could more eaſily impoſe five, or 10000l fine for a new made offence, then pay the tenth part of ſuch a ſumme of their own juſt Debts; and to make their ſentences more ſevere, could find out new Priſons, and cloſe impriſonment to ſeparate the diſtreſſed from their friends, yea and Whip men too, and inflict other corporall puniſhment, which is not pleaſing to us in the remembrance: Nay, it was grown to ſuch a height of naughtineſſe, that the baſe Projectors and Monopolizors (the bane of the Commonwealth) made uſe of that Court of Juſtice (if ſo we may call it) to uphold their villany (let that ſtinking Sope Project witneſſe whether we ſpeak truth or not.) And as if we could not have been undone ſoon enough, we had a Maſter Project invented to ſubmit all our eſtates to the Kings pleaſure, by a new deviſed Ship-writ, whereby the King might make a neceſſity at pleaſure, and then impoſe what he thought fit, which after it had been hatched and contrived by ſome over-learned wicked brains, was countenanced under a pretext of Law by the Iudges, (in mentioning of which we intend not either *Walter*, *Hutton*, or *Crook*, who are dead, or *Crew*, who is yet liviug, for their memories are pretious with us for honeſt men,) and this was proſecuted with no ſmall violence (as many other projects beſides) by the Kings Councell at Law, who may bluſh for ſhame, or at leaſt quake for fear, to think how they miſ-led a good King and their gratious Maſter, to the grievance of His beſt Subjects. It afflicts us to think of the preſſures we underwent by new impoſts and that involuntary dange-

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rous president of excise of 4 o.s. *per Tonne* upon wine, besides divers other grievances. And yet all these past current under the specious & plausible pretence of the Subjects good, (which Mr. *Attorney* Generall found, and so expresst it in his Study,) but we found the quite contrary in experience. And as our troubles were thus multiplyed in the Common-wealth, so did they no lesse increase in the Church; we had new devices leading fast on towards *Popery*. It began under the fair pretence of orderly service of God by railing in the Communion-Table, providing Church-ornaments, and the like, (which we are so farre from condemning, that we should have had cause to thank them, if they had stayed there;) for we well approve of harmelesse and inoffensive Ceremonies, and decent form of Gods worship and Service; but what with their new Christning our Communion-Tables to make them Altars, setting them Altar-wise at the upper end of the Chancell, advancing them upon steps, in some places changing them from wood to stone, setting up Crucifixes, and then bowing and cringing, and the bold Sermons for auricular confessions, free-will, merit, reall presence in the *Papisticall* sense, and such other stuffe; we could not well tell where they would rest, untill they had brought in the Idoll of the Masse, Image-worship, and the like, and made the Arch-Bishop of *Canterbury* equall to a *Pope* in *England*, who to our grief had obtained that command in Church and State, and that power at Councell Board, Star-chamber, and High-Commission, (besides his under-hand awing the Common-Law Iudges to betray the Law to his will) that he Lorded it all the Kingdome over, and by the assistance of some of his under Bishops (as bad as himselfe,) and others more easy to be wrought upon, he brought the Clergy (some few godly Ministers excepted, who then by way of disgrace were termed *Puritans*, and now *Popishly* affected Malignants) to be at his Command, who preached (or rather prated) nothing but blinde obedience, and the Kings *Prerogative*, and such things as they understood not, to make us odious to Our *Prince*, and raise themselves to preferment (which was too ready a way in those times to accomplish their desires.) We would not be mistaken, as if we did inveigh against Arch-Bishops, or Bishops, or bore ill will to the Clergy in generall, we like well of their dignities and orders, and there are many among them, who by their pious *Preaching*, gratious lives, godly examples, and orderly Government in the Church, have been great instruments of our good, and by their depth of knowledge and learning, stop the mouthes of *Papists*, Schismatiques, and Heretiques, we pray for them, and that God would en-

exceed the number of them, and if it had not been thought otherwise fit by the State, we should never have denied the Bishops a place in the Lords House in Parliament, and hope they shall yet continue to have a name and fit power of government in the Church, though their Votes in Parliament be gone, (which for the manner of carriage in taking them away (if all be true that we hear) was not so well as we could have wished, for the honour of that great Court which we shall labour to uphold.) By this time we presume you will think we may speak to the purpose, for our losses were not small; if the losse of Property, Liberty, Life, or Religion be great. But you will object, These were not lost, only in hazard, and that all these are now put out of danger, by abolishing Ship-mony, and all other things of that nature, and by other good Bills passed this Parliament, and a Bill ready to be passed for a Synod, if the King will give His assent. To which we answer, and acknowledge the goodnesse of the King, that He did not extend His Power in the case of Ship-mony to that latitude, when time was, (as our Iudges put into His power,) and when He was advised by His Great Councell it was against Law, He yeelded to abolish it. We confesse His Grace to us in the Bill for the Triennial Parliament, and in regulating His Councell-Table, and putting downe His Court of Star-chamber, and High-Commission, and other good and profitable Lawes, consented to by Him, and made for us this Parliament; and we blesse God we have such a King, and pray heartily for His long Life, and happy Raigne over us, and publish to all the World, That we doe from our hearts acquit Him from the guilt of all our sufferings, and a thought in any of us of His inclination to Popery, and wish that those who are in Authority under Him would learn goodnesse by His example, and that the whole Kingdom were as sound in the Protestant Religion; but yet withall, we must let Him and all the world know too, that our condition at present is so farr from being bettered, that it is grown extreamly worse, as if all the evills of former times had bin epitomized into the Volume of a year last past, or there abouts, and the quintessence of ours & the former Ages grievances extracted and given us at one draught: It is true we had a Parliament called before this, on which our hopes depended much for redresse of our evills, and how unhappily it ended we too sensibly feele. Whether he that is dead, or the late Comptroller that is living (and would have set that unedible commodity of Ship-mony to sale in that Parliament for twelve Subsidies) were the cause of it, we judge not, nor condemne any. And it is as true, this Parliament to our thinking was called

led leasonably for our reliefe; and the unhappy differences arisen in *Scotland*, almost miraculously quieted, and our Brethren of that Nation returned home peaceably (though we must not forget that it coasts 300000 l. besides the many thousands weekly their Army and Ours had for their support here, which we could wish had been spared.) And we ought likewise to acknowledge (for it is a truth not to be denyed) the care both Houses of Parliament have taken for suppressing Popery, discountenancing Ministers Popishly affected, and the many expressions they have made for maintaining our Protestant Religion and Lawes; but for all this, we have now more cause to complain then ever. At the beginning of this Parliament they removed me highly charged for endeavouring the subversion of the Fundamentall Lawes of the Land, and many other Treasons, which how farre guilty we determine not, because we heard no evidence, and though we are sure he was a great cause of our sufferings, yet we could wish his Attainder might have been in such manner, as others taking notice of his punishment, might have feared to commit the like crimes, and not so to punish, as to need a Declaration, that his manner of punishment should not be drawn into example afterwards, (the ready way to draw a suspition upon the Justice of his sentence,) but if our Fundamentall Lawes be all subverted, what doth his punishment advantage us? The Houses likewise took care for committing the Arch-Bishop of *Canterbury* to the Tower, Iudge *Barkly* to the Sheriffes of *London*, *Sr George Ratcliffe* to the Gate-house, and all these for no lesse crimes then high Treason; but we are ashamed to think that they should lye in Prison above two yeares together without a legall tryall, (which will be a faire justification of all our Iudges of inferiour Courts for delay of Iustice, and no small injury to the free Subjects of *England* in the precedent to be deprived of their Liberty so long, upon a bare surmise,) nay we heare (but will give no present credit to it for the honour of both Houses) that one of the Iudges of the Kings-Bench is kept Prisoner in the Tower for no cause at all expresst, (or any just one that we can learn,) and Iudge *Barkly* that lies under the impeachment of high Treason, appointed by both Houses to sit Iudge again in that Court; which if it be true, we must plainly tell you, that we feare the Impeachment against him (as well as against halfe a dozen more of his Brethren, that never proceeded further then an accusation) was rather to awe them, & make them serve turnes upon occasion, (keeping them under the lash,) then out of zeale of Iustice, or for the common good.

Nay, we have good advertisement, (for we are not so well acquain-

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ted in the Prisons, as to know by sight,) of many hundreds committed by both Houses this Parliament (where by the way we should be glad to know how the House of Commons, being only part of the Body of the Great Councell, & no Court of Record, have got a power to commit such as are none of their Members) (for wise men and good Lawyers question it) we say many hundred committed, and not one convicted, except the Lord Major Sir *Richard Gurney*, *Binion*, and the now Kings Attorney; for the latter of which we are not so wise as to understand his fault, being a high poynt of new-Parliamēt Priviledge, which his Iudges could not by a known Law suddenly find any punishment for: and for *Binion* let it rest upon the consciences of his Iudges, whether he were guilty of the crimes charged by good proof; but this we must say that we are not satisfied, but that he ought to have been tried by twelve Free men upon their Oathes, according to the Great Charter of *England*, and not by the Lords, who are not our equalls: and for the sentence it selfe we have so just cause of complaint, that if such arbitrary justice proceed, we shall find little ease by transferring the Star-chamber from one end of *Westminster* Hall, to the Lords House at the other; and it will be much alike to be committed by the Star-chamber to *Carnarvon* Castle, & the Lords House to *Colchester* Goale, and much worse to be committed during the pleasure of that House, then the Kings, for we find Him more inclinable to mercy, (though we wonder much how the King lost a power of pardoning, or shewing mercy in any crime whatsoever, that did not concern a particular Subject.) And for the honest Lord Major *Gurney*, if you will beleeve us, (and many of us were present at his tryall) he might with more honour, and justice to, have been acquitted then sentenced, his greatest fault being his obedience to his King, and true service to the Citty, according to his Oath and Duty of his place. If these things be true, it will make us fear some body shares with the Serjant at Arms Messengers, and Goalers in the fees, and that little care is taken of the Subjects liberty in the mean time. It may be thought these things nothing concerne us, but beleeve it, there is more in it thē so: that which is one Subjects case now, may be ours, or our Childrens hereafter; and a bad precedent is many times of great authority, & dangerous cōsequence, which we are the more sensible of, because we hear some ignorant Lawyers of the House of Commons (one of which wears a scarlet-hood, which he paid dear for, and was held none of the wisest the beginning of this Parliament) are pickt out to finde precedents, and justifie by Law, the legality of sequestring mens estates and inheritances,

to turn the King out of His Power, of making Sheriffes of Counties, and put that in the people, and by consequence deduce it to themselves; nay some (whom we blush for) have not been ashamed to put in print a precedent for deposing a King, and could find no better then King *Richard* the second, who all the world knowes (to the scandall of this Nation) was traitorously murthered, the whole Progresse of which act was a horrid Treason, upon the fairest relation of any Cronicle; and therefore we beseech you blame us not, if we here, by way of exception, make mention of them, that they may not hereafter be cited to the prejudice of us and our posterity. We crave leave now to lay down truly and plainly (for our condition is such, that we must not palliate) the redresse of our grievances by this Parliament. Indeed, we acknowledge a great deal of zeale in the House of Commons in questioning Projectors, Monopolizors, and the like, but it was too hot to continue, for we doe not know of one of them to this day punished: nay *Kilvert*, that grand Projector in the 40 *s. per Tonne* excise, so farre from punishment, as our great Masters of the House of Commons were not ashamed to make use of his skill (who is known to be very dextrous to oppresse) to have drawn all the poor Vintners of *London* to make Fine and Ransome, and if they have escaped, they may thank their poverty, and not their innocence: how this comes to passe we know not; but this we know, that Alderman *Abel* (*Kilverts* Comrade in that businesse) was a rich man (and the King gives a hint, as if one of the House of Commons (a crying sinne, if it be true) could take mony,) and whether *Kilvert* or *Abel* made friends there, and so got off, (for it is too too evident, that there is notable friending there in causes, both at Committees and in the House,) or whether in the examination of that businesse they stumbled upon some Grandee, or other, as deep in that project as they, we cannot tell: but sure we are, they are at liberty, and unpunished, when many of our honest brethren, and free Subjects are kept in Prison, for maintaining their Rights by Law.

A great adoe was made about the Customers for their exacting Customes and Impostes, but the conclusion of that businesse shews plainly, the House of Commons aimed meerly to get money, for the Customers purchased their peace of them, (which phrase sounds ill in a place of Iustice) and now the House of Commons, against expresse Law, exact the like Customes & Impostes, which they dispose at pleasure, and think an Order of both Houses a dispensation to that *Parliament* in their Act of Parliament, which we feare will scarce, upon a

faire and legall triall, excuſe: What think you of the Project of ſealing Gold and Silver thred and wire (which the poor Artiſts about *London* ſo much cried out upon?) If any body hath been puniſhed for that abuſe, it is more then we could ever heare; yet we, and both Houſes too, know that great Lord of the Houſe of Peeres, and Sir *H. Mildmay* ſtill of the Houſe of Commons, that dipt their fingers deep in it; nay, and though the King gives a gentle reproofe for it, we ſee nothing done thereupon, which makes us beleeve, that it was not altogether pure Iuſtice in voting out all Monopoliſts & projectors, *&c.* out of the Houſe of Commons, and yet ſo notorious a one kept in; nay, by your leave we can tell you who eſcaped turning out upon the Loan of 50000l. which was ill news to us, to think That Houſe could be hired with money, and yet we have wiſhed ſince, that all the Members of the Houſe had been as able to furniſh mony as he; for then peradventure many as wiſe & as honeſt, and of as cleare repute in the common-wealth, (though the man is free from exception) which have bin voted out without any cauſe, might peradventure have ſate there ſtill, and by their wiſdom and moderation (if that be of weight there) prevented many ſudden unadviſed Votes, which will ſcarce be for the honour of Parliaments in ſucceeding ages. And ſince we are thus unhappily fallen into the Houſe, we muſt (though by digreſſion) let you know how ſenſible we are in apprehending the truth of His Majeſties Declaration in the undue courſes of election of Knights and Burgeſſes, and as undue in turning out thoſe duly elected, and putting worſe in their rooms; and the notable ſiding & making Parties thereabouts, inſomuch as the Committee for elections hath got the Nickname of the Committee of *affection*, where every one is more for his friend, then the right; and if all the Houſe of Commons be Iudges (as they pretend to be,) we can charge every one of them with ſuch ſolicitation and pre-inſtruction in cauſes and engagements to a party, as were enough to turn any other Iudge of *England* out of his place, and forfeit all his eſtate; and that juſtly too.

We would be glad to know what was the cauſe of turning the Ld *Falkland*, Sir *John Culpepper*, Sir *Fo: Strangwaies*, Mr *George Palmer*, and divers others out of the Houſes, (for they were voted out by ſcores hand over head) unleſſe it were becauſe they ſpake more reaſon then the more violent party could anſwer; and therefore it was come to that paſſe, that (clean contrary to the uſe, yea and the honour of Parliaments too) things were not debated by reaſon & ſtrength of Argument, but by putting it to the queſtion, and carrying it by moſt

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voices, where the greater number were ſo farre from underſtanding, many times, the force of Arguments, that they did not, after the Vote was paſt, conceive the ſtate or ſenſe of the queſtion, but thought it was enough for them to vote with Maſter *Pym*, or Maſter *Hampden* by an implicite faith, and if they differed (as ſeldome they did) then croſſe or pyle, vote at adventure: doe not think we are too bold herein, or this is breach of Priviledge; for when theſe things are told abroad (& it were pitty they ſhould be concealed, leaſt they ſhould not be amended,) blame not us for complaining of them, when we ſuffer ſo much by them; and if it be a breach of Priviledge, we hope we ſhall eſcape as well as Maſter *Lawrence Whittakers*, the late Clerk of the Councell, for a farre greater, who ſearcht Maſter *Hampdens* pockets, and took away his papers, ſoon after the breach of the laſt Parliament, and yet now continued a Member of the Houſe of Commons. Indeed, we heare much complaint touching the breach of Parliament-priviledge, principally that touching the Lord *Kimbolton*, and the five Members of the Houſe of Commons, and we ſo farre diſlike the Kings going to the Houſe of Commons, as we take it to be againſt the Priviledge of Parliament, and wiſh with all our hearts it had been forborn: But after the King hath given ſo full ſatisfaction therein, and in plain terms made an acknowledgement thereof, (a rare thing in a Prince) that it ſhould ſtill be mentioned, (as if all errours in a King were never to be forgotten) we muſt needs think there is not that care of preſerving the Kings Honour, and deſire of unity between Him & His People, as all honeſt men wiſh for, and that the Kings faults are nothing neere ſo many as are pretended, that this muſt be ſo often reiterated to make up a number. And yet by the way we muſt hint thus much, if that Lord or five Members be guilty of Treaſon, we ſhall not ſtick to convict thoſe five Members, & ſee them duly executed, according to the old Law; for we never heard that any Parliament-man had a priviledge of Parliament in his tryall for Treaſon, till this Parliament, and we mean not to uphold new created priviledges. Surely, breach of Parliament priviledge is not a ſinne unpardonable, if it be, it will fare ill with ſome of both Houſes that diſcovered the difference of opinion by ſome of the Houſe of Commons by name, in the buſineſſe of the late Earle of *Strafford*, and the well-affected Lords in the Houſe of Peeres, in the buſineſſe of the Church-Liturgy. Yea, and with all the rabble of Browniſts and Anabaptiſts, that with unheard of impudence durſt aske the queſtion publiquely at the Barre in the Houſe of Commons, who they were which oppoſed the well-affe-

ded party in that House, (a thing unpresidented) and that more noble person of the House of Commons, that did not stick to aske the like question in the House of Lords, (though we charge not that upon his score (blame to them that injoyned him that task.) Nay, what shall become of the multitude of the zealous Sectaries, and rabble of ignorant people sent to both Houses, but specially to the House of Peers, by Captain *Lee* and his wife, and *Isaack Pennington*, to cry Iustice, Iustice, and, no Bishops, no Bishops, and to terrify some Lords from the House, and aw others that were there; we can find no way but a pardon, or an Act of oblivion: for we are sure there were never higher breaches of Parliament Priviledge then these; nor a greater staine upon Parliament proceedings, God grant they rise not up in Iudgement against us & the Nation. We are loath to rub too hard upon this sore, we know it is a tender place, else we could tell strange things done this Parliament, not only *ex tempore* Votes, but Bills passe *ex tempore* the same day they were first read, contrary to the gravity and reason of all former times, as if they could as well Vote and make Acts of Parliament by the Spirit *ex tempore*, as their Levites can pray and preach; and to say the truth, are much alike, which makes Religious and wise men ashamed of both, and is no small cause of our complaint. Let no man think this a busines of no concernment to us, it is no lesse then our losse of Parliaments, (whereby we shall loose all our happinesse) if we loose the honour, wisdome, gravity and justice of them: and we must complain till we see amendment, and must crave pardon of our noble Lords to tell them, that we see (what they know to be true) so much siding and engaging one another in their Committees in matters of civill justice, that if there were a superior Court to complain unto of what they have mis-done this Parliament, (besides the many delaies and protractions of causes) whilest those who should attend to heare and judge, are in bed, or at play, or some worse imployment, or idle at the best) our Iudges of inferior Courts (whom we formerly complained of, and not without cause) would be reckoned little Gods by way of comparison; and few of their best Orders are worth the charge and attendance, and Lawyers and Clerks fees. And surely when things are thus caried, we have cause to speake, but the worst is yet behind; for (as if our Parliament (which was wont to redresse all our grievances) envied our happinesse, and studied our ruine) they have found out a new way to deprive us of our Lawes, Liberty, and Property. This may be thought very strange at the first sight, but we shall so plainly demonstrate it, as we doubt not, but (the

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Parliament men themselves being reasonable Judges) it will be assented unto for an undeniable truth, and it will be evident to every ordinary understanding, that under the pretence of defending our Lawes and Religion, we are couzened of both. To begin with our Lawes (and follow them for the present, though in an ill president, in putting Religion at the fagge end, when other businesse is done,) true we have got a new Law of Ordinances so called, that hath turned all our Liberties, Property, Petition of right, and all other old known & rightfull Lawes out of doors; & if we continue so simple longer to submit to them, the free Subjects of *England* shall be in worse condition then a Turkish slave: whilest they are at the mercy of one, we at the pleasure & command of hundreds, to dispose our lives, liberties, estates, wives and Children, yea and our Religion too, according to their humours. The first time we found this stealing in upon us, was in the businesse of the *Militia*, which we swallowed without any examination of the legality, being driven into amazement with feares of some sudden and unavoydable danger; and blame us not, if we were apprehensive thereof upon printed relations of so many pretended horrid treacheries against the Parliament, when every day almost produced a discovery of a new treason: that of the Taylors in *Moorefields*; the Stable of Horses under ground; the Danish Fleet that was discomfited by *Van Trump*, a long time since, besides other strange discoveries, & letters that came God knowes from whence, for the Authors may be ashamed to be known; and such like fictions, that served only to amaze us, whilest in the mean time we yeelded to that illegall power put in the Lievtenants of the *Militia*, thinking only thereby to defend our selves from a present force; but we find now that it is and hath been put in execution to divest our King of His Forts, Townes, Castles, Navies, Goods and Revenues, and to put the strength of the Kingdom in the power and command of poore men, of desperate fortunes or factions, and Schismaticall men addicted to Anabaptisme and Brownisme. Look amongst the *London* Commanders, from *Fowk*, *Normington*, and other the Princes of the *Militia*, by Colonell *Pen* & *Manwaring*, as low as Captain *Bradly* and *Baste* (if bankrupting be a badge of poverty;) and compare the rest of the Lists, and for one honest able Commander, you will find more then twice as many Schismaticall beggarly Sectaries; indeed, some are men of worth, else the cheat had been too grosse. We confesse we were not so sensible, as discretion would have taught us, of the taking of *Hull* from the King, and seizing His Armes there, and little thought His Declaration was a true Pro-

phesy that our turnes would be next: We never dreamt, that any under pretext of Religion, or presenting a Petition to our King, would have assaulted His Royall Person, as at *Keinton*, an act which we disavow to the present age, and all succeeding generations: we could not have beleeved, if we had not tried it by wofull experience, that our horses & goods should have been take away against our wills by *Isaack Pennington*, or any his officers; that Souldiers should have been billeted in our houses per-force, nay and Martiall law voted to be put in execution by two Houses of Parliament, and that sitting a Parliament, and whilest other Courts of Iustice, Assises, Sessions, and the Courts of *Westminster* were all open; we wonder where the new offences of Malignants and ill-affected, and men not to be confided in, are to be found in our Law? and what punishment is due to them? And we no lesse wonder how it was possible that noble Lord (whom we took to be our Patron in defence of our Religion and Lawes) was drawn in, or brought on to be Generall of an Army against our King, and to be an instrument of so much mischief to us; and how those brave Lords, *Northumberland*, *Warwick*, *Holland*, *Bedford*, *Salisbury*, *Howard*, and honest *Pembrook*, with some other honest Lords, and the remnant of honest & wise men left in the House of Commons, could be led on all this while, and not discover the misery that was brought upon us and our posterity by this new found Law? It is too late now to prevent what is past, and it is some comfort to us to heare that they understand, and are sensible of our sufferings and dangers, and endeavour to prevent them; but unlesse a speedy course be taken, we see our ruine so imminent, that we must fall to put our Resolutions in practice: as if all the former grievances were too little, (putting in the plundring of houses, & more then barbarous cruelty in the unheard of tortures which the Parliament Forces used to some of our neighbours,) old *Best* of *Canterbury*, and Sir *William Botelers* man of *Kent*, and others for instance of the latter, and his Master, and hundred houses more plundered by them for proofe of the former. There is now another so named Ordinance for taking away the twentieth part of our Estates, and provision by additionall, to called, Ordinances, to levie it by distraining our goods, imprisoning our persons, and turning our wives, children and families out of doores; which when we first perused, we concluded with our selves, that either those which made it were not well in their wits, or did beleeve all the Subjects of *England*, but themselves, fools, to suffer it to be put in execution. We are much engaged to our King (as for many other favours, so) particularly for that His last Declaration of the eight of *December*,

cember, by way of anſwer to that pretended Ordinance, and his charge not to obey it. And we find his good advertiſements in other his Declarations too true, (we wiſh we had heeded them better in time) but we muſt with all humility let Him & every one elſe know, that from the firſt peruſall of that Ordinance we were reſolved to oppoſe it to the death: we found it evident enough, that they might by the like new law take the other ninteenth part of our eſtates when they pleaſed, and our lives too. And they of the Houſe of Commons were much miſtaken, who thought it a favour to us in ſparing our lives in this; for he is a poore ſpirited man, that would chuſe to live in a priſon, and ſee his eſtate taken from him, and his wife and children turned a begging, & baniſhed: and therefore we muſt now deale roundly for the truth; as others have done for wrong. We would faine know how long it is ſince the making law by Ordinance was in uſe, for ſome (of us (as old as ſince the beginning of Queen *Elizabeths* time) never knew it till this Parliament? Indeed, we have heard of ſuch things that were of ancient times, (and it may be lawfull too) but cannot yet learn by any good Antiquary or Lawyer, That both Houſes of Parliament, without the Kings Conſent, did make an Ordinance to bind the free Subjects of *England* in their lives, liberty, or eſtates. If an Order of both Houſes may make new Law, or abrogate or ſuſpend our old, you may quickly ſeize upon all our eſtates, and beſtow them amongſt your ſelves and friends; & you have ſhown us a good inclination that way, in beſtowing 6000l. upon your Speaker of the Houſe of Commons, and places of command, and no ſmall profit in the Army upon Members of both Houſes, their children, kindred, and friends, which for their skill in warre might as well have been ſpared in the Army: As for Councell in the Houſe, witneſſe thoſe grave and valiant Lords, *Haſtings*, *Rochford*, *&c.* And we could never learn of any great experience of Martiall valour in my Ld *Say*, or his Son (that had the fleet unruly horſe) to draw them ſo conſcientiouſly to undertake imployments of that nature. But we find little conſcience made of taking pluralities of Command in the Army (a Regiment of foot, & Troop of horſe) and ſtay at home and take the pay, which comes out of our purſes, and complain of lazie Miniſters for pluralities of Church-livings: We like not the latter, and we doe as much condemne the former.

We thought we ſhould have had thankes given to ſuch of us as had been wrought upon to bring in our Plate, & lend Mony to the Parliament, more then wiſe men would have done; and that it had been an impoſſibility that ever the quantity and proportion ſhould have

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been questioned, and a taxe follow. Will our great Lords and others of great estates in both Houses part with the twentieth part (so roundly?) Our choise it seemes is now as in the beginning, differs only in this; There lend, or goe to prison; Here lend, or take and sell our goods, put our Persons in a Gaole, turne wives and children out of doores, and banish them.

What is become of our Petition of Right? what use of a Triennial Parliament? If this last but a few dayes at this rate, we shall have never a Free-holder of 40 *l.* a yeare left to chuse Knights, nor a free Citizen but in a prison. We wonder that this new kind of Ordinance was not sooner found out, it would have spared the trouble of getting the Kings assent to many Bills. Why was not *Strafford* kill'd with an Ordinance? the Bishops discharged out of the Lords House with an Ordinance? and this Parliament made everlasting by an Ordinance? What dull unlearned men were Sir *Edw. Coke, Phillips, Elliot, Digs, Sands, &c.* that could never find or devise this knack of forging new Lawes in former Parliaments?

The rule you make is, That an Order of both Houses, which you mis-call an Ordinance, binds us during the Parliament. If you had but made, or doe yet make such an Order, this Parliament can never dissolve, and we must re-call our thanks for our Triennial Bill, for we shall be made uncapable of taking fruit by it. Seeing you are pleased to proceed thus farre, we beseech you make one Ordinance more, That both Houses shall be a Corporation, to take Lands and goods to them and their Successors, and that they shall be the only Projectours of all the Lands and goods in the Kingdome; and when any of that Corporation dyes, *toties quoties*, the Survivor and none else shall chuse a Successor to perpetuity. And if this be binding to the Subjects (as it must be if your rules hold) we have spun a faire thred in sending Knights and Burgesses to this Parliament. Indeed you have dealt gently with us (in comparison) in taking but the Twentieth part, having stopt all the Kings, Queens, and Princes Revenues, and left them to live upon Almes (which all men cry shame of,) and we beleeve will not be well taken by our Brethren of *Wales*, that you should souse their Prince, how bold soever you make with our King. Truly, we find as specious Preambles to these new Ordinances to ruine us, as to any former Projects and Monopolies, which makes us think some of the Kings Counsell at Law are gotten into the House of Commons, and underhand for conscience sake, betray both us & their Master; and we feare ere long, if these courses hold, *Isaack Penning-*

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now shall have a Monopoly of high-way passes at 2 s. per Poll, established by Ordinance for the good of the people, which he now exacts without comptroll.

We beseech you to think us not so void of reason, to be thus deluded, if Sergeant *Wild*, or the more learned Mr *Glyn* avouch it for Law, we shall no more believe it upon their words, then we did his Countrey man Judge *Jones*, in his opinion of Ship-money. And never pretend to us that in cases of necessity you may doe what you list, when you pretend Liberty to declare a necessity when you please; that were to make us in farre worse condition then the Ship-money businesse, we shall find too many in both Houses full of necessities: and therefore we beseech you to consider seriously, into what desperate exigencies we are driven, and if we find not speedy relief, we must take up some of your own principles for professing our Resolutions in defending our selves, in cases of urgent and unavoydable necessity: nay, and it is high time to doe it presently, if you have sent for an Army of *Scots* (as we heare you have) to make us a Conquered People.

We should weary out a patient Reader, to tell all our distresses, and how the businesse of *Ireland* hath been carryed, and trenched too much upon the honour of this House, which we shall study to preserve. We forbeare therefore further enumeration in our civill calamities, as unpleasing to our thoughts; and in a word or two tell you, how it hath fared with us in our Religion and Church-Government. God be blessed our Papists and Iesuits pull in their heads, and good care is taken for keeping them under, but we wish it might be done according to the Laws (which are strict enough, if well executed) and not by plundering and torturing; for if the Law be not the Rule, we, as well as they shall come under the slavery of Arbitrary Government. And to speak truth, Preaching is much advanced, but what we get one way, we loose twice as much another: for one Papist before, two seditious Sectaries and Schismatiques now. we would not be mistaken in our expression, by [*Sectaries*] and [*Schismatiques*] we mean not religious and godly men or women, who make conscience of sanctifying the Sabboth, frequenting Gods Ordinances of praying and preaching, observing Family-duties, of praying and instructing their Families in the principles of Religion, abstaining from all sinne themselves to their power, and for conscience sake friendly and charitably reproving others that doe offend, & in short, make conscience of every sinne, as it is an offence against God; no, God forbid we should

harbour such a thought in us, we honour such, and pray God encrease the number; and whether they be nick-named *Puritans*, or *loose Protestants*, or any other new names of scorne, it matters not, we are contented to share with them in their disdain. I take part with those pious and learned men, *Usher*, *Morton*, *Brownrigge*, *Westfield*, though Bishops; *Holdsworth*, *Sharp*, and others though in Prison; or suspected for men popishly affected, or Neutralists: but we intend such as pretend to purity without honesty, that inveigh against swearing, and practise lying, cozening, and deceiving; that cannot endure Episcopall Government, or our Book of Common-prayer, though farre better then any they can frame themselves; That would have no Government in the Church, but all to be independent, That preach, practice, and maintaine Sedition, rising in Armes against the King, Gods Annointed, yea deposing and killing Kings, (that are not such as they would have them;) That take more offence at a harmlesse Ceremony, then at a grosse incontinency: These are those that we inveigh against, that are come like the plague of flies, lice, and Caterpillers amongst us, and are countenanced by no meane ones in both Houses, that stick not to affirme, we have had no Reformation in *England* hitherto; and so make our Religion (in which we resolve to live and dye) either nothing, or but small, and by their impudence, cunning hypocrisie, and seeming holinesse, (depth with deserved poverty) and hoping to catch good fish in troubled waters, disquiet our Church, and raise and foment discord in the State, and yet are suffered to passe unpunished; nay, the Lawes against them, in vilifying and disgracing our Church-Liturgy, totally suspended. It may perchaunce not be believed that such a thing should be, but beleeve us, a new Ordinance will doe strange things in Church and Common-wealth. Nay, we expect ere long to be told, That an Order of the House of Commons will be an Ordinance too, or least bind us by, or as a Law; for it hath been put in practice already to stay proceedings in Courts of Iustice, and free a Felon out of Prison without triall: and least you think we coyn untruths (as fast as some others) you shall find by their Iournall, where they stayed all men from proceeding against Sir *Thomas Dacres*, & discharged one committed by the L^d^ chief Iustice *Brampston* to *Newgate* for Felony, in stealing the Countesse of *Rivers* goods. And we cannot forget the Order under the Teste of M. *Pym*, two years since, for taking the Raile from the Communion-Table, when the House of Commons it seemes had delegated their power to him (as they have done since to a close Committee of safety, a course

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unheard of in former times, and not more absurd then illegall and unjustifiable.) But we are told we shall have a Synod called, and a Bill passed for it, and all things shall be setled in the Church. God grant we may live to see it, for we must tell you, that we heard the House of Parliament intend to chuse the Men for the Synod, (which is a device as new as the Ordinance,) & that the greater number of them are those who oppose Episcopacy, & our Book of Common-prayer; which if true, we must let you know, we hold them not fit men for such a businesse and they may spare their pains till we would have Religion, & Church-government unsetled, which hath been their work hitherto; and we must in justice require a Synod, such as was knowne to former ages: & that we may not blush to own when occasion requires. This certainly should have bin the first work, we pray it may be well setled at last. But we fear in stead of Reformatiō we shall have some idle head or other will be framing an answer in writing to our Coplaints, which we must tell you will give us no satisfaction; or we shall have a new Declaration, or Remonstrance, stuft with an old story of too often repeated miscarriages, (for when any your Ordinances that invade our Rights are to be put upon us, we never misse some such thing to accompany them, and gall us) we must tell you, It is no ease to us to be told in fine words, We shall be disabused; we desire you will begin seriously to Act, and leave writing, for we find upon all your writings, you have still gone by the worst, which makes us beleeve you have not the better cause, but truth is against you, having the advantage of so many able men to pen, and an inclination on your part to conceive the best of what you set forth, and prejudicacy to what is written in opposition. We therefore humbly and heartily desire both Houses to declare thēselves for the maintaining the Book of Common-prayer established by Law, submitting the correcting, qualifying, or altering such things, & indifferēt Ceremonies, as to a Synod lawfully called shall be thought fit, & may justly give offence to weak consciences, that Lawes may be made and executed against all Schismatiques, Heretiques, and Separatists, and these already made executed against Papists. That Armies may be disbanded, peace established, the Scots (if sent for) discharged; and our King denied nothing that is his by the known Law of the Land, but restored to all, and be such a glorious Prince as you promised him. That the new Law by Ordinance, i.e. by order of either or both Houses may be abolished and damned, as was that of Ship-money; and let us heare no more of a Legislative power, but where King, Lords, and Commons concurr (for we will

no more subjects to it then to new Law by Proclamation, and we re-
quire that we may be suffered to enjoy our Lives, Liberties, and Pro-
perty, according to our Petition of Rights and known Laws, and suf-
fered to try our Rights without Parliament Injunctions. That these
things may be done speedily, and this Parliament dissolved, that so
we may have liberty to proceed at Law against the severall Members
of both Houses, who make use of their Privileges to hinder the pro-
ceedings of Justice, and owe us many thousand pounds, and that we
may have some fruit of the Triennall Bill. If these things may not be
obtained, unlesse without breach of Privileges, we may have the
names of the first Projectors of these new Ordinances, and such as la-
bour to uphold them. We must let you know, our Resolution is to re-
nounce the power we put into you, (for we told you before, we will
work upon your own principles) for you having basely broken the
trust we reposed in you in subverting all our Laws, (which you should
have preserved) we may take back what we give you, (and we are
certain, your elections are more conditionall upon that point then our
Kings Crown, which comes by inheritance and succession.) And we
are sure, we have as wise, religious, and honest men left behind, as we
sent to the Parliament. And in case of urgent necessity (which is our
case directly) our Laws being overturned, our estates and liberty lost,
our Wives and children threatned to be turned out of doors, and ba-
nished; and our Religion endangered, we may defend our selves by
Armes, and make use of what is next, and we have a president shown
by your selves for the manner of that defence; and shall not be a-
shamed or afraid to adventure our estates and lives for defence of our
known Lawes, and true Protestant Religion, and not dye
slaves more to the name of a Parliament,
then to any Tyrant.

*We have published this before we could understand the Resolutions of
other Counties, the times requiring it, and could not expect their Ans-
wers. If they approve it, and joyne in it, we desire them to declare so
much publiquely, and to doe as we intend to doe, namely, totally oppose
all new Ordinances, and maintain our Rights by our old or known Lawes,
assisting each other with Life and Fortune in this our Resolution, for
Gods glory, our Countries good, and our own Freedome.*

FINIS.